

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE EMPLOYES' RETIREMENT SYSTEM OF
THE CITY OF MILWAUKEE,

No. 20 Civ. 8642 (KPF)

Plaintiff,

v.

ALLIANZ GLOBAL INVESTORS U.S. LLC, et al.,
Defendants.

**STIPULATION AND ORDER CONCERNING JOINDER TO VOLUNTARY
DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)**

WHEREAS, on October 16, 2020, Plaintiff the Employees' Retirement System of the City of Milwaukee ("Plaintiff") filed a Complaint commencing the above-captioned action against, among others, "ABC Insurance Company." "ABC Insurance Company" was a fictitious name, intended to refer to the insurers of Allianz Global Investors U.S. LLC ("AllianzGI");

WHEREAS, Plaintiff's Complaint alleges one count against "ABC Insurance Company" under Wisconsin Statute § 632.24 for negligence and fiduciary duty as AllianzGI's insurers;

WHEREAS, Plaintiff subsequently served, among others, Defendants Axis Insurance Company, Berkshire Hathaway Specialty Insurance Company, Continental Casualty Company, Freedom Specialty Insurance Company, and Steadfast Insurance Company (the "Insurer Defendants"), which parties had originally been named as "ABC Insurance Company";

WHEREAS, on February 25, 2021, Plaintiff and the Insurer Defendants filed a stipulation (the "Stipulation," ECF No. 95) requesting voluntary dismissal of the Insurer Defendants pursuant to Federal Rule of Civil Procedure 41(a)(1), subject to the Stipulation's terms and conditions;

WHEREAS, on February 26, 2021, the Court granted the relief requested in the Stipulation (ECF No. 100);

WHEREAS, on or about January 14, 2021, Plaintiff also served a Summons and the Complaint upon “ABC Insurance Co. c/o Paragon International Insurance Brokers Ltd./Pioneer Underwriting Ltd.”;

WHEREAS Pioneer Underwriting Ltd. (“Pioneer”) issued a policy of insurance severally subscribed to by Great Lakes Insurance SE, as well as members of Lloyd’s Consortium 9375 and Lloyd’s Syndicate 457 (together “Underwriters”), which covered certain Allianz entities;

WHEREAS, reserving all other rights, Underwriters and Pioneer wish to join as additional Insurer Defendants as defined in the Stipulation, under the same terms and conditions as the other Insurer Defendants;

WHEREAS Plaintiff has agreed that Underwriters and Pioneer be joined as Insurer Defendants under the Stipulation;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED

1. Underwriters and Pioneer are hereby joined as Insurer Defendants, subject to the same terms and conditions of the Stipulation applicable to all of the Insurer Defendants.
2. Pursuant to the Federal Rule of Civil Procedure 41(a)(1), Plaintiff, by and through its undersigned counsel, hereby voluntarily dismisses all claims as they may pertain to Underwriters and Pioneer, subject to the same terms and conditions of the Stipulation.
3. This stipulation does not affect the rights of duties of any party not signatory hereto.

Dated: New York, New York
August 2, 2021

Respectfully submitted,



* Signature used with permission pursuant
to S.D.N.Y. ECF Rule 8.5.

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System of the City of Milwaukee*

IT IS SO ORDERED at New York, New York on this ____ day of _____, 2021.

SO ORDERED:

Katherine Polk Failla
United States District Judge